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Ian Pickup



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Rousseau and Law Thom Brooks, 2005 Jean Jacques Rousseau stands as one of the most influential figures in the history of philosophy Rousseau and Law presents for the first time in one collection the most important contemporary work exploring his many contributions to legal theory *The Philosophy of Law* Christopher Berry Gray, 1999 This encyclopedia offers systematic and sustained coverage of the many dimensions of legal thought and gives expression to the breadth and depth of the philosophy of law *The Philosophy of Law* Christopher Berry Grey, 2013-07-04 From articles centering on the detailed and doctrinal exposition of the law to those which reside almost wholly within the realm of philosophical ethics this volume affords comprehensive treatment to both sides of the philosophico legal equation Systematic and sustained coverage of the many dimensions of legal thought gives ample expression to the true breadth and depth of the philosophy of law with coverage of The modes of knowing and the kinds of normativity used in the law Studies in international constitutional criminal administrative persons and property contracts and tort law including their historical origins and worldwide ramifications Current legal cultures such as common law and civilian European and Aboriginal Influential jurists and their biographies All influential schools and methods *A Treatise of Legal Philosophy and General Jurisprudence* Damiano Canale, Paolo Grossi, Hasso Hofmann, Patrick Riley, 2009-08-11 TO VOLUMES 9 AND 10 OF THE TREATISE I am happy to present here the third batch of volumes for the Treatise project This is the batch consisting of Volumes 9 and 10 namely A History of the Philosophy of Law in the Civil Law World 1600 1900 edited by Damiano Canale Paolo Grossi and Hasso Hofmann and The Philosophers Philosophy of Law from the Seventeenth Century to Our Days by Patrick Riley Three volumes will follow Two are devoted to the philosophy of law in the 20th century and the third one will be the index for the entire Treatise which will therefore ultimately comprise thirteen volumes This Volume 9 runs parallel to Volume 8 A History of the Philosophy of Law in the Common Law World 1600 1900 by Michael Lobban published in 2007 Volume 10 for its part takes up where Volume 6 left off which appeared under the title A History of the Philosophy of Law from the Ancient Greeks to the Scholastics edited by Fred Miller Jr in association with Carrie Ann Biondi likewise published in 2007 and which is mainly a history of the philosophers philosophy of law let us refer to this philosophy as A *The Philosophy of Law in Historical Perspective* Carl Joachim Friedrich, 1963 **Rousseau's Constitutionalism** Eoin Daly, 2017-06-29 Despite Rousseau's legacy to political thought his contribution as a constitutional theorist is underexplored Drawing on his constitutional designs for Corsica and Poland this book argues that Rousseau's constitutionalism is defined chiefly by its socially directive character His constitutional projects are not aimed primarily at coordinating and containing state power in the familiar liberal democratic sense Instead they are aimed at fostering the social conditions in which a fuller sense of freedom understood broadly as non domination can be realised across all social domains And in turn since Rousseau views domination as being deeply embedded in complex social practices his constitutionalism is aimed at fostering a radical austerity social economic

and cultural as its foil In locating Rousseau s constitutional projects within his social and political theory of servitude and domination this book will challenge the predominant focus and orientation of contemporary republican theory Leading republican thinkers have drawn on the historical republican canon to articulate a model of constitutionalism which is on the whole liberal in focus and orientation This book will argue that the more communitarian orientation of Rousseau s constitutionalism that is its socially directive focus stems from a sophisticated and compelling account of the sources of unfreedom in complex societies sources which are ignored or downplayed by the neo republican literature Rousseau embraces a communitarian social politics as part of his constitutional project precisely because pessimistically he views domination as being deeply embedded in the social relations of the liberal order

Rousseau's Platonic Enlightenment

David Lay Williams,2010-11-01 In this sterling deeply researched study Williams explores how thinkers ranging from Hobbes to d Holbach highlight various sets of ideas that Rousseau combated in developing his philosophical teaching The account of Rousseau s predecessors who might be called Platonists is especially interesting as is the account of those who qualify as materialists Moreover Williams provides a good overview of Rousseau s teaching demonstrates a commendable grasp of the relevant secondary literature and argues ably for the superiority of his own interpretations Clearly written and superbly organized this book contributes much to Rousseau studies An indispensable book for Rousseau scholars this volume also will appeal to general readers and students at all levels C E Butterworth CHOICE

Marx's Discourse with Hegel N.

Levine,2012-02-21 The end of Stalinist Russia China s change under Deng Xiaoping and the publication of previously unexplored documents of Marx in the MEGA2 opened a new epoch in the analysis of Marx Marx s Discourse With Hegel is both a product and contribution to this rebirth of Marxism by its reformulation of the relationship between Hegel and Marx

Philosophy, Rights and Natural Law Ian Hunter,2019-01-22 Over his long and illustrious career Knud Haakonssen has explored the role of natural law in formulating doctrines of obligation and rights in accordance with the interests of early modern polities and churches The essays collected in this volume range across this exciting and contested field These 13 new essays acknowledge Haakonssen s immense academic achievement and give us new insights into the cultural and political role of law and rights in a variety of historical contexts and circumstances

Foundations of Public Law Martin

Loughlin,2012-09-27 Foundations of Public Law offers an account of the formation of the discipline of public law with a view to identifying its essential character explaining its particular modes of operation and specifying its unique task Building on the framework first outlined in The Idea of Public Law OUP 2003 the book conceives public law broadly as a type of law that comes into existence as a consequence of the secularization rationalization and positivization of the medieval idea of fundamental law Formed as a result of the changes that give birth to the modern state public law establishes the authority and legitimacy of modern governmental ordering Public law today is a universal phenomenon but its origins are European Part I of the book examines the conditions of its formation showing how much the concept borrowed from the refined debates

of medieval jurists Part II then examines the nature of public law Drawing on a line of juristic inquiry that developed from the late sixteenth to the early nineteenth centuries extending from Bodin Althusius Lipsius Grotius Hobbes Spinoza Locke and Pufendorf to the later works of Montesquieu Rousseau Kant Fichte Smith and Hegel it presents an account of public law as a special type of political reason The remaining three Parts unpack the core elements of this concept state constitution and government By taking this broad approach to the subject Professor Loughlin shows how rather than being viewed as a limitation on power law is better conceived as a means by which public power is generated And by explaining the way that these core elements of state constitution and government were shaped respectively by the technological bourgeois and disciplinary revolutions of the sixteenth century through to the nineteenth century he reveals a concept of public law of considerable ambiguity complexity and resilience

Rousseau's Economic Philosophy Bertil Fridén, 2012-12-06 An increasing body of literature concerns the economics of those highly appreciated qualities of life that are not easily provided by market exchange Today these problems are visible as never before for example environmental problems But already at the dawn of industrial society the problem had been observed by Rousseau His statements on the economy claim to take these problems into account with due importance In this way his economic philosophy concerns a different domain of the economy from for example Adam Smith's work Rousseau's philosophy attempts to consider phenomena later labeled information asymmetries and information costs bargaining collective good problems Some of Rousseau's most puzzling social proposals on theater women music etc can be explained by his well argued conviction that an optimal economy demands a high social morale a communicative morale He proposes an economic philosophy for the most important properties of richness such as experiencing the unique and being free although dependent on others empowerment It is for the adult capable of true deliberation not for the trifle of the innocent child He develops a concept of richness that is close to the Aristotelian capability concept later explored by Amartya Sen Rousseau's economic philosophy has not been treated in a monograph before The book should be rewarding to those interested in social theory the history of social and economic thought problems at the margins of market exchange e.g cultural economics environmental economics students of Rousseau and the thought of the 18th century welfare economic theory in the direction of Arrow or Sen and Pany and others theses about the transition from self-sufficiency to market

Kant and the Law of Peace C. Covell, 1998-03-04 Kant and the Law of Peace is a critical examination of the jurisprudential aspects of Kant's international thought with reference to the argument of his treatise Perpetual Peace 1795 Kant's international thought is situated in the wider context of his moral and political philosophy Particular attention is given to explaining how Kant saw law as providing the basis for peace among men and states in the international sphere and how in his exposition of the elements of the law of peace he broke with the secular natural law tradition of Grotius Hobbes Wolff and Vattel

Modern Political Theory from Hobbes to Marx Jack Lively, Andrew Reeve, 2013-12-16 This anthology offers students a carefully edited selection of the most influential and

enduring interpretations of key political theorists There are sections on Hobbes Locke Rousseau Burke Bentham Mill and Marx Each section includes classic articles by leading critics a substantial introduction by the editors and a guide to further reading A general introduction to the volume as a whole is also provided This is an up to date and extensive guide to the key issues at stake in the interpretative debate and it provides an invaluable text for students and teachers of modern political thought

Lawyers and the Rule of Law Andrew Boon, 2022-10-20 This book examines lawyers contributions to creating and maintaining the rule of law one of the pillars of a liberal democracy It moves from the European Enlightenment to the modern day exploring the role of judges government lawyers and private practitioners in creating defining and being defined by the demands of modern society The book is divided into 4 parts representing the big themes The first part considers lawyers contribution to the growth of constitutionalism the second the formulation of roles and identities and the third the formation of values The fourth part focuses on the challenges faced by lawyers and the rule of law in the past 50 years the neoliberal period and how they challenge both conceptions of lawyers and the rule of law Each part is illustrated by defining events from the execution of Charles I through the Nuremberg Trials to the insurrection by supporters of Donald Trump in January 2021 Although the focus is on England and Wales parallel developments in other jurisdictions Australia Canada New Zealand and the USA are considered This allows analysis of lawyers historical and contemporary engagement with the rule of law in jurisdictional systems based on the Common Law Each chapter is thematic but the passage through the book is broadly chronological

STY Law Rene Albert Wormser, Rene Wormser, 1972-02-15 From Simon Schuster The Story of the Law is Ren A Wormser s about the men who created the law from the earliest times to the present Including chapters on the Jews the Greeks the Romans and the German Barbarians The Story of Law And the Men Who Made It explains the creation of law from the earliest civilizations all the way to present day

The Law of Nations and Natural Law 1625-1800 Simone Zurbuchen, 2019-11-26 The Law of Nations and Natural Law 1625 1800 offers innovative studies on the development of the law of nations after the Peace of Westphalia This period was decisive for the origin and constitution of the discipline which eventually emancipated itself from natural law and became modern international law A specialist on the law of nations in the Swiss context and on its major figure Emer de Vattel Simone Zurbuchen prompted scholars to explore the law of nations in various European contexts The volume studies little known literature related to the law of nations as an academic discipline offers novel interpretations of classics in the field and deconstructs myths associated with the law of nations in the Enlightenment

Australasian Journal of Philosophy , 1928

Constituent Power and the Law Joel Colón-Ríos, 2020-03-26 Constituent power is the power to create new constitutions Frequently exercised during political revolutions it has been historically associated with extra legality and violations of the established legal order This book examines the relationship between constituent power and the law It considers the place of constituent power in constitutional history focusing on the legal and institutional implications that theorists politicians and judges have derived

from it Commentators and citizens have relied on the concept of constituent power to defend the idea that electors have the right to instruct representatives to negate the doctrine of parliamentary sovereignty and to argue that the creation of new constitutions must take place through extra legislative processes including primary assemblies open to all citizens More recently several Latin American constitutions explicitly incorporate the theory of constituent power and allow citizens acting through popular initiative to trigger constitution making episodes that may result in the replacement of the entire constitutional order Constitutional courts have also at times employed constituent power to justify their jurisdiction to invalidate constitutional amendments that alter the fundamental structure of the constitution and thus amount to a constitution making exercise Some governments have used it to defend the legality of attempts to transform the constitutional order through procedures not contemplated in the constitution s amendment rule but considered participatory enough to be equivalent to the people in action sometimes sanctioned by courts Building on these findings Constituent Power and the Law argues that constituent power unlike sovereignty should be understood as ultimately based on a legal mandate to produce a particular type of juridical content In practice this makes it possible for a constitution making body to be understood as legally subject to popularly ratified substantive limits

Political Philosophy from Plato to Jeremy

Bentham G'eza Engelmann,1927 *The Australasian Journal of Psychology and Philosophy* ,1928

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